



**Livestock and Seed Program
Audit, Review, and Compliance Branch
Quality System Audit Report**

AUDIT INFORMATION

Applicant Name:	Guaranteed Organic Certification Agency
Est. Number:	N/A
Physical Address:	5464 Eight Street, Fallbrook, CA 92082
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Auditor(s):	Miguel A. Caceres
Program:	USDA National Organic Program (NOP)
Audit Date(s):	December 1 – 12, 2006
Audit Identifier:	NP6335MMA
Action Required:	Yes
Audit Type:	Annual Update
Audit Objective:	To determine the compliance of the company's Annual Update Report to the requirements of the audit criteria
Audit Criteria:	<ul style="list-style-type: none">• 7 CFR Part 205.510, National Organic Program; Final Rule, dated December 21, 2000, Amended September 11, 2006
Audit Scope:	GOCA 2006 NOP Annual Report
Location(s) Audited:	Desk

The following information was received by the auditor on September 18, 2006:

1. **Certification Files:** 4 files; 1 for each category – crops, handlers, livestock, and wild crop.
2. **Annual Program Review:** The *GOCA 2005/6 Performance Evaluation* was submitted and included the *GOCA Changes to be implemented in 2006*. The latter document identified 7 areas of concern as “High” priority. However, only 1 of the 7 was identified as “complete” and 5 as “in progress”. The concern of “late reporting to USDA” was identified for “immediate implementation”. There was no date on either report to indicate when the annual program review was conducted or when the corrective actions were started or completed. Performance evaluations were provided for all 14 personnel identified on the GOCA 2004/5 List of Employees and Contractors.
3. **Conflict of Interest Disclosure Reports:** The *Annual Confidentiality and Conflict of Interest Disclosure Statement*, GA004-3018 forms were submitted for all listed personnel.



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4. **Current Certification Activities:** The ARC 1025C Checklist stated GOCA currently certifies operation in 12 states and 4 foreign countries and plans to expand certification to any state or country in which a client submits an application. Also submitted was the GOCA Client Directory as of 07/31/2006. The list had approximately 317 certified operations, 2 denied applications, 1 suspended, 2 transitional certifications, and 133 listed as voluntary withdrawals.
5. **Current fee Schedule:** 2006 Fee Schedule in US Dollars, A003-6079
6. **ARC 1025C:** Completed *Annual Update of NOP Accredited Certifying Agents Checklist*.
7. **Other documents submitted:**
 - i. Application Coordinator Review Checklist, A034T-6059
 - ii. Application Coordinator Review Checklist, A034-6059
 - iii. Employee/Contractor List 2005/2006
 - iv. GOCA 2005/6 List of Inspectors and Reviewers
 - v. GOCA Application Packet, A011-5360
 - vi. GOCA Application Packet Renewal Crop, A032-5360
 - vii. GOCA Application Packet Renewal Processing, A033-5360
 - viii. Organic Systems Plan Packet – Processor/Handler, A017-6018
 - ix. *Conseil des Appellations Agroalimentaires du Quebec (CAAQ)* Conformity Recognition Certificate valid until September 11, 2006
8. **Changes to program:**
 - i. Training document created A034T-6059
 - ii. Application form packets and organic systems plan revised (see Findings)
 - iii. New certification personnel (see findings)

The *GOCA 2005/6 List of Inspectors and Reviewers* along with resumes and training and experience information was provided. It is important to note that 1 individual listed as an inspector trainee in Brazil did not have any past experience or education in organic production and handling; or in agriculture. The individual's resume indicated he was interested in applying for a job as an English translator not as an inspector. The performance evaluation for this individual was dated March 31, 2006 and indicated he had not performed his first solo inspection.

FINDINGS

Procedures and records reviewed verified that Guaranteed Organic Certification Agency (GOCA) is currently operating in compliance to the audit criteria except as identified in this "Findings" section. There were 5 major non-compliances identified during the audit. Because of the format of the organic system plans and the inspection reports the audit took longer than usual.

NP6335MMA.NC1 – Major – NOP §202.202(c) states, "Any field or farm parcel from which harvested crops are intended to be sold, labeled, or represented as "organic" must: Have distinct, defined boundaries and buffer zones such as runoff to prevent the unintended application of a prohibited substance to the crop or contact with a prohibited substance applied to adjoining land that is not under organic management."
General client information: Dairy farm with 590 acres of crop land to be certified as organic on 3



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different sites. Crops are hay and silage for own operation and livestock are not certified as of yet. In reference to the buffer zones the client was instructed to "Please describe how management practices verify compliance" as a condition to certification. The response from the client was that the neighbors had been notified of the organic practices on the certified parcels and requested to provide a 25 foot buffer along the fence lines and were also provided a "flyer outlining practices to prevent spray drift." GOCA accepted the response and granted certification. This is not acceptable in that the Final Rule requires that if the crop is to be represented as organic the organic system plan must include buffer zones and they must be verified during the inspection. Notifying the neighbor with an affidavit does not meet the requirements.

NP6335MMA.NC2 – Major – NOP §205.401(c) states, "The application must include the following information: (c) The name(s) of any organic certifying agent(s) to which application has previously...and a description of the actions taken by the applicant to correct the non-compliances noted in the notification of non-compliance." *The GOCA Application Packet, A011-5360 under "Application Instructions" states, "If the applicant has been involved previously with certification and voluntarily withdrew from the program, the answer would be "NO" to both of these questions. If the applicant withdrew from a previous application for any reason, if the application was denied, or if the applicant was suspended or revoked from an accredited certification program, NOP Section 205.401(c) requires that the applicant must provide..." The 2 statements on the instructions are contradictory. Depending on which information GOCA meant to provide to the client, the statement itself is in non-compliance.*

NP6335MMA.NC3 – Major – NOP §205.402(a)(2) states, "Upon acceptance of an application for certification, a certifying agent must: Determine by a review of the application materials whether the applicant appears to comply or may be able to comply with the applicable requirements of subpart C of this part." *The updated Organic System Plan Packet, A017-6018 under "Nonagricultural Input Approval Worksheet" section states, "If nonagricultural ingredients or processing aids are used in the formulation and the input has been reviewed by OMRI or any other NOP accredited certifier, and determined to be compliant, please attach the compliancy document. If the input has not been previously reviewed please list below so that GOCA can determine compliance." The training document, Application Coordinator Review Checklist, A034T-6059 under the "Material Review" section states, "Did you review all single ingredient materials to NOP and all brand name materials to OMRI or WA State and note findings on OSP?" The Final Rule requires the certifying agent to verify all ingredients and inputs identified in the organic production and handling system plan meet the standards and are used in accordance with the National List requirements.*



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NP6335MMA.NC4 – Major – NOP §205.504(a)(2)(3) states, “A private or governmental entity seeking accreditation as a certifying agent must submit the following documents and information to demonstrate its expertise in organic production or handling techniques...(a) Personnel. (2) The name and position description of all personnel to be used in the certification operation... (3) A description of the qualifications...” *The documents could not be reviewed for compliance to 205.501(a)(5) because not enough information was provided. Without knowing which specific categories (crops, livestock, etc.) of certification the personnel are responsible for, an adequate assessment could not be made.*

NP6335MMA.NC5 – Major – NOP §205.510(a) states, “An accredited certifying agent must submit annually to the Administrator, on or before the anniversary date of the issuance of the notification of accreditation, the following report and fees.” *GOCA was accredited on April 29, 2002 indicating that the Annual Report has to be submitted to the Administrator on or before April 29th of each subsequent year. The date on a letter from GOCA enclosed with the report and the date stamp of when the report was received by the NOP verified that it was not submitted until the end of August 2006.*